

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

SCOTT JENKINS, and JENKINS
DISPLAYS CO.,

Plaintiffs,

vs.

FIRST VANDALIA CORP., doing business
as First National Bank of Vandalia,
WILLIAM ERNEST CHAPPEL ESTATE,
CITY OF VANDALIA, ILLINOIS, and
JACK JOHNSTON AND FIRM,

Defendants.

Case No. 22-cv-991-SMY

ORDER

YANDLE, District Judge:

Pending before the Court are Defendants First Vandalia Corp. and Jack Johnston and Firm's motions to remand (Docs. 10, 13). Plaintiffs removed this case from the Circuit Court of the Fourth Judicial Circuit, Fayette County, Illinois (Doc. 3). Under federal removal statutes, only defendants may remove actions from state courts to federal district courts. See, 28 § U.S.C. 1441(a) ("may be removed by the defendant or the defendants"). See also, *Home Depot U.S.A., Inc. v. Jackson*, 139 S.Ct. 1743, 1746 (2019). Because Plaintiffs improperly removed the instant case, this Court lacks subject matter jurisdiction and is obligated to remand it.

Accordingly, pursuant to 28 U.S.C. § 1447(c), this case is **REMANDED** back to the Circuit Court of the Fourth Judicial Circuit, Fayette County, Illinois. All pending motions are terminated as **MOOT**, and the Clerk of Court is **DIRECTED** to close this case.

IT IS SO ORDERED.

DATED: July 22, 2022



STACI M. YANDLE
United States District Judge